

Response Under 37 C.F.R. § 1.111
Serial No.: 10/765,870
SUGHRUE MION, PLLC Ref: Q76912

REMARKS

Please reconsider the application in view of the following remarks. Applicant thanks the Examiner for carefully considering the application.

Applicant is filing concurrently herewith a Petition for a Two-Month Extension of Time, thereby extending the time for responding to the Office Action to June 30, 2006.

Status of the Claims

Claims 1-22 are all the claims pending in the application. Of those, claims 1, 8, 11, and 20 are independent. The remaining claims depend, directly or indirectly, from claims 1, 8, 11, and 20.

Rejection of Claims 1-22 under 35 U.S.C. § 102(e)

Claims 1-22 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2004/0225679 (“Oran”). This rejection is respectfully traversed.

The present application provides a method and apparatus for initiating a session in a “store and forward” messaging system. Each of the pending claims recites a method or apparatus for so doing. As described in the Background section of the application, a store and forward messaging system is distinguished from a conventional telephony session in that the communication is indirect. Specifically, in a conventional telephony session, the caller and callee are placed into direct communication. In contrast in a store and forward messaging system, a user calls the system to deposit a message for a subscriber to the system. An example of such a store and forward messaging system is a Voice/Video Call Answering (VCA) system.

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Independent claims 1 and 8 of the present application recite methods for initiating a session in a store and forward messaging system. The method recited in claim 1 includes receiving a session connection request from a guest of the store and forward messaging system. The method recited in claim 8 includes receiving a session connection request from a subscriber of the store and forward messaging. Independent claims 11 and 20 recite a store and forward messaging system. Among other features, the store and forward messaging system recited in claim 11 includes a receiving unit which receives a session connection request from a guest of the store and forward messaging system. The store and forward messaging system recited in claim 20 includes a receiving unit which receives a session connection request from a subscriber of the store and forward messaging system. Thus, each of the claims recites a store and forward messaging system, or a method for using such a system.

Oran relates to a previously mentioned telephony session in which there is a caller and a callee. Oran, ¶ [0017]. The system disclosed by Oran “matches caller preferences and callee capabilities to determine one or more allowed rendering desired by a caller and supported by the callee .” *Id.* Oran neither shows nor suggests any sort of store and forward messaging system. Instead, Oran relates to direct communications between a caller and a callee. Each of the claims of the present application require, at a minimum, a guest or subscriber to a store and forward messaging system. Because Oran is silent on store and forward messaging systems entirely, Oran cannot be considered to show or suggest the methods recited in claims 1 and 8 and the systems recited in claims 11 and 20. Thus, claims 1, 8, 11, and 20 are patentable over Oran.

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Dependent claims 2-7, 9, 10, 12-19, 21, and 22 are allowable for at least the same reasons.

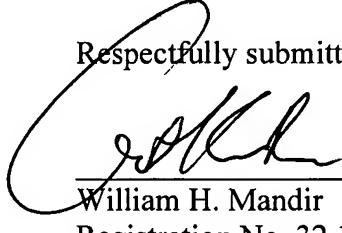
Accordingly, removal of this rejection is respectfully requested.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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